

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

CORY ROBERT MONROE,

Plaintiff,

vs.

COMMISSIONER,
Social Security Administration,

Defendant.

Case No. 6:18-cv-01603-JR

ORDER GRANTING PLAINTIFF'S
UNOPPOSED MOTION FOR
ATTORNEY FEES PURSUANT TO 42
U.S.C. § 406(b)

Plaintiff Cory Robert Monroe ("Plaintiff") brought this action seeking review of the Commissioner's final decision denying her application for disability insurance benefits under the Social Security Act. By stipulation of the parties, the Court reversed the Commissioner's decision, remanded the case for further administrative proceedings, and entered Judgment on September 5, 2019. The Commissioner subsequently found Plaintiff entitled to disability insurance benefits and auxiliary benefits beginning June 2016.

Plaintiff now seeks an award of fees in the amount of \$12,003.50 pursuant to 42 U.S.C. § 406(b). Defendant has not objected to the request. I have reviewed the record in this case, the motion, and the supporting materials, including the award of benefits, the fee agreement with

counsel, and the recitation of counsel's hours and services. Applying the standards set by *Gisbrecht v. Barnhart*, 535 U.S. 789, 796 (2002), the Court finds that the requested fees are reasonable.

Plaintiff's Unopposed Motion for Attorney Fees Pursuant to 42 U.S.C. 406(b) is hereby GRANTED, and Plaintiff's counsel is awarded \$12,003.50 in attorney fees under 42 U.S.C. § 406(b). This award represents 25% of Plaintiff's retroactive disability and auxiliary benefits, adjusted to account for only the amount actually withheld by the agency to pay Plaintiff's attorney fees. When issuing the § 406(b) check for payment to Plaintiff's attorney, the Commissioner is directed to send the full amount of \$12,003.50 awarded by the Court, less any applicable processing or user fees prescribed by statute, to Plaintiff's attorneys at HARDER, WELLS, BARON & MANNING, P.C., 474 Willamette Street, Eugene, Oregon 97401. Any amount withheld after all administrative and court attorney fees are paid should be released to the claimant.

IT IS SO ORDERED this 28th day of October 2020.



 JOLIE A. RUSSO
 United States Magistrate Judge

Proposed Order submitted by:
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 6:18-cv-01603-JR
 Page 2 of 2